



Crl.O.P.Nos.4913 & 6420 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.4913 & 6420 of 2025

Katturaja ... Petitioners in Crl.O.P.No.4913 of 2025

Vijay @ Viji Petitioners in Crl.O.P.No.6420 of 2025
Vs.

The State represented by,
The Inspector of Police,
Kottapatti Police Station,
Dharmapuri District.
(Crime No.26 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioners on bail, in connection with the Crime No.26 of 2025, pending investigation on the file of the respondent Police.

For Petitioners : Mr.M.Selvam

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 08.02.2025, seeking bail in Crime No.26 of 2025 registered for the offence under Sections 105 of BNS [Section 304 of IPC] read with Section 135(1)(a) of Indian Electricity Act.



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2. The case of the prosecution is that the 1st victim had entered the land which was taken on lease by the petitioner and was owned by one Elango, that while he entered, he came in contact with fence and suffered electrocution and died; that when the 2nd victim, who is the father of the 1st victim came in search of the 1st victim, he also suffered electrocution and died. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that, even according to the prosecution, petitioners have no intention to kill the deceased persons; that the owner of the land has paid compensation to the mother of the victim; that petitioners without prejudice to their defence are ready and willing to deposit a sum of Rs.1,00,000/- each to the credit of Crime Number.26 of 2025 and in any case, petitioners are in custody from 08.02.2025 and they may be released on bail.

4. Learned Government Advocate (Crl.Side) reiterated the prosecution cases and opposed for grant of bail to the petitioners.



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5. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Considering, the nature of allegation; period of incarceration; and since further custody is not required for the purpose of investigation in this case, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate Court, Harur**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall **deposit a sum of Rs.1,00,000/- (Rupees One Lakh only)** each to the credit of **Crime No.26 of 2025** before the *learned Judicial Magistrate, Harur, on such deposit, defacto complainant, is permitted to*



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withdraw the same

[c] the petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[d] the petitioners shall not abscond either during investigation or trial;

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]*;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

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To

1. Judicial Magistrate, Harur.
2. The Inspector of Police,
Kottapatti Police Station,
Dharmapuri District.
3. The Superintendent,
Sub Jail, Harur.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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